

### **REMARKS**

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks:

Claims 1-17 are pending in this application.

Claims 1-6 have been amended.

Claims 7-17 have been added.

#### **Regarding the § 112 Rejections**

Claims 1 – 6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claims 1 – 6 to more clearly, and more broadly, claim the geometry of the “cut.” Also, the use of numbers in parentheses in the claims have been removed to further expand the breadth of the claims, and to be consistent with U.S. practice. Applicant respectfully submits that the claims as amended overcome the Examiner’s rejections.

#### **Regarding the § 103 Rejections**

Claims 1 – 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hegler et al (U.S. Patent No. 4,513,787) in view of Hegler (U.S. Patent No. 3,776,679). The presently pending claims are directed to various methods and embodiments for enclosing electrical lines in a corrugated tube. An important feature of the claimed invention is that the tube can be easily opened at the slit without a tool and closed again in a simple manner without a complicated snap closure feature. One of the ways that this is accomplished in Applicant’s invention is by creating an internal closing force at the slit during the manufacturing process. For example, in one of the embodiments the tube is passed through a deformation device sometime after the slitting device to compress the tube while the tube is still heated from the extrusion, so that the borders of the slit slip over one another, and after the tube cools the border of the slitted opening inside the tube is guided outward and is placed

over the other border that was previously outside the tube, creating a relatively strong closing force. Applicant has amended claims 1 and 2 to more clearly, and broadly, claim that part of the invention. Particularly, claim 1 recites a method that includes the step of “compressing therein while the tube is still heated from extrusion.” Claim 2 recites a device that is “compressed in a deformation device while the corrugated tube is still heated from extrusion.”

Applicant respectfully submits that Hegler et al. ('787) fails to teach, suggest, or render obvious one or more of the distinguishing features of claims 1 and 2. Hegler et al. teaches a sheathing tube with a slit that is complementarily configured to form a detent or snap-locking closure, and that provides a closing force with a relatively complex overlapping relationship. Hegler et al. does not teach, suggest, or render obvious that a closing force can be provided internally without a detent or snap-locking closure, in the manner claimed. Additionally, Hegler et al. does not teach, suggest, or render obvious that this closing force can be obtained by cooling the tube in a deformation device, and after the tube cools, guiding the inside border of the slitted opening over the outside border to create a strong closing force. Hegler ('679) does not address the inadequacies of Hegler et al.

In view of the foregoing, Applicant respectfully requests withdrawal of the § 103 rejection for claims 1 and 2. Claims 3 – 6 depend, either directly or indirectly, from independent claims 1 and 2. Applicant respectfully submits that, for at least those reasons set forth above with respect to the rejection of independent claims 1 and 2, dependant claims 3 – 6 distinguish over the cited art and are in condition for allowance. Withdrawal of the § 103 rejection for claims 3 – 6 is respectfully requested.

#### **Regarding the New Claims**

New claims 7-17 have been added to claim features of the present invention. Applicant submits that none of the cited art anticipates or teaches the claimed inventions. More specifically, with respect to independent Claim 7, the Hegler references fail to teach or suggest compressing the corrugated tube so that the borders of the slitted opening create an overlap with each other while the tube is still heated from extrusion, such that one border of the slitted opening is inside the corrugated tube and the other border of the slitted opening is

outside the corrugated tube, and allowing the compressed corrugated tube to cool into a dimensionally stable article. With respect to independent Claim 11, the Hegler references fail to teach or suggest a corrugated tube with the borders of a slitted opening positioned by an inherent dimensional stability within the corrugated tube to create an overlap region such that one of the borders is inside the corrugated tube and the other border is outside the corrugated tube. Applicant submits that new claims 7-17 are allowable.

Should the Examiner have any further questions or comments facilitating allowance, the Examiner is invited to contact Applicant's representative indicated below to further prosecution of this application to allowance and issuance. In view of the above, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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